

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

**RED BARN MOTORS, INC., PLATINUM)
MOTORS, INC., and MATTINGLY AUTO)
SALES, INC., individually and on behalf of)
other members of the general public similarly)
situated,)**

Plaintiffs,

v.

**NEXTGEAR CAPITAL, INC. f/k/a DEALER)
SERVICES CORPORATION,)**

Defendant.

Case No. 1:14-cv-01589-TWP-DLP

**PLAINTIFFS' [PROPOSED] ORDER GRANTING FINAL APPROVAL
OF CLASS ACTION SETTLEMENT**

This matter has come before the Court on Plaintiffs' Unopposed Motion for Final Approval of Class Action Settlement (Filing No. 390). The Court having reviewed and considered the motion and its attachments, including the terms and conditions of the Settlement as set forth in the Settlement Agreement and Release dated as of April 8, 2021 and filed into the record at Filing No. 373-9, and on the basis of such submissions and all prior proceedings in this matter including the argument of counsel on September 28, 2021, and good cause for this Order having been shown,

IT IS HEREBY ORDERED:

1. The terms of the Settlement Agreement with Defendant NextGear Capital Inc. are hereby approved as fair, reasonable, and adequate;
2. The named plaintiffs Red Barn Motors, Inc., Platinum Motors, Inc., and Mattingly Auto Sales, Inc. are hereby designated as Settlement Class Representatives;

3. Attorneys from the law firms of Sher Garner Cahill Richter Klein & Hilbert, L.L.C; Jones Swanson Huddell & Daschbach LLC; Kerry Murphy Law LLC; DeLaney & DeLaney LLC; and Cassie Felder Law Firm are hereby appointed as Settlement Class Counsel;

4. The Allocation Plan set forth in the Settlement Agreement is hereby approved; and

5. The appointment of Donlin Recano & Co., Inc. as Settlement Administrator for the purposes of continuing to respond to Class Members with questions and distributing Settlement proceeds in accordance with the Allocation Plan is hereby confirmed.

SO ORDERED, this ____ day of _____, 2021.

United States District Judge

Distribution to all electronically
registered counsel of record via CM/ECF